Single Bench 4

CF 100/-

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W. P. (S) NO. 5132 / 2006

Petitioner : Hetram Rathore,
S/o Bhagwat Prasad Rathore,
Aged about 36 years,
Asst. Teacher, Govt. Higher Secondary School, Jamnipali
N.T.P.C. Korba, Dist : Korba-(C.G.)

P.R. No. 5157/06
Presented by Clerk A.S. Bajpai
dated 14.9.06

Versus

Respondents :1. State of Chhattisgarh
Through - The Secretary,
Department of School Education,
D.K.S. Bhawan, Raipur,
Dist : Raipur-(C.G.)

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2. District Education Officer,
Dist : Korba-(C.G.)

3. Asst. Commissioner
Tribal Welfare Department,
Dist : Korba-(C.G.)

4. Block Education Officer, Katghora
N.T.P.C. Korba, Dist : Korba-(C.G.)

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THE MATTER.

OATH COMMISSIONER
APARNA MALVIYA
CC-2073/96
14/9/06
Bilaspur Chhattisgarh

1. Particulars of the Petitioner :

As per cause title

HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (s) No. 5132 of 2006

Petitioner : Hetram Rathore

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Anil Singh Rajput, Advocate for the Petitioner.
Shri Arvind Dubey, Panel lawyer for the respondents/State.

ORDER

(20th September, 2006)

1. Learned counsel appearing for the petitioner submits that while working as Assistant Teacher, the petitioner has gone on training to improve his qualifications on his own expenses and acquired B. Ed. Examination Certificate on 27.3.1996 from Barkatullah University, Bhopal (Annexure P/3).

2. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. Examination Certificate on his own expenses, are covered by

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the circular dated 24.12.98 (Annexure P/1) issued by the State Government of Madhya Pradesh

3. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu